

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JOSEPH BROWN,

Plaintiff,

v.

RICHARD SURYAN,

Defendants.

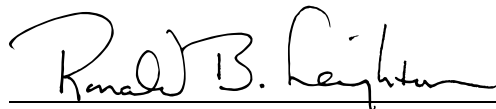
No. C10-5613 RBL/KLS

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) This action is **DISMISSED without prejudice** prior to service for failure to state a claim. **This dismissal counts as a strike pursuant to 28 U.S.C. § 1915(g);** and
- (3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for any Defendants who have appeared, and to the Hon. Karen L. Strombom.

DATED this 29<sup>th</sup> day of October, 2010.



RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE